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| APPLICATION NO.                                   | FILING DATE  | FIRST NAMED INVENTOR |        | . AT     | TORNEY DOCKET NO. |
|---|--------------|----------------------|--------|----------|-------------------|
| 08/487,312  | 06/07/95     | MILLER               |        | M        | 2000-0160.04      |
|   |              | 18N2/1110            | $\neg$ | EXAMINER |                   |
| MORRISON AND FOERSTER 2000 PENNSYLVANIA AVENUE NW |              |                      |        | SAOUD,C  | •                 |
| SUITE 5500  | ACAHNIH HACI | ACIE NA              |        | ART UNIT | PAPER NUMBER      |
|   | DC 20006-18  | 888                  | '      | 1801     |                   |

DATE MAILED:

11/10/97

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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|               |             |                       | EXAMINER            |  |
|               |             | ART UNIT              | PAPER NUMBER        |  |
|               |             |                       | 20                  |  |
|               |             | DATE MAILED:          |                     |  |

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patent

The reply brief filed 15 October 1997 has not been entered because it is not limited to new points of argument or to new grounds of rejection raised in the examiner's answer. First, the identification of Interference No. 103,925 is inappropriate in the reply brief. Second, the issue of FDA regulations was raised by Appellant in the Brief filed 18 June 1997 at page 5, paragraph 1, was properly addressed by the Examiner in the Answer. See MPEP § 1208.03. Appellant has TWO MONTHS from the date of this communication to petition under 37 CFR 1.181 to request entry of the reply brief.

04 November 1997 Christine Saoud CA

JOHN ULM PRIMARY EXAMINER **GROUP 1800**